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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Klaus Gottschall

WRSF 7

3684

25666 7590 06/11/2010
THE FIRM OF HUESCHEN AND SAGE
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EXAMINER

BASS, DIRK R

ART UNIT

PAPER NUMBER

1797

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DELIVERY MODE

06/11/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

Applicant argues that Hutchens does not disclose step (b) of claim 38. In response, the examiner directs applicant's attention to claim 38, the anticipatory reference (Hutchens), and the rejections set forth in the office action dated March 10, 2010. Firstly, applicant describes a substrate having at least two different groups. Applicant expands on these groups by stating that said groups are simply "part of amino acids, sugars, nucleotides, nucleosides, pyrimidine bases, and purine bases" (Claim 45). Therefore, based on applicant's claim and current description, the examiner takes the broadest reasonable interpretation of the "groups" claimed in step (b) of claim 38. Hutchens discloses "mixed functionality adsorbents" which comprise for example hydrophobic groups as well as negatively charged ionic groups (pg. 44, l. 21-32). The examiner considers such mixed functionality adsorbents to anticipate step (b) of claim 38 since said mixed functionality adsorbents comprise two different groups, one being a hydrophobic group and the other being a negatively charged ionic group.

Secondly, applicant contends that the steps of "determining" recited in claim 38 are not disclosed by Hutchens. The examiner disagrees and reminds applicant that determination steps can be construed as mental steps which one of ordinary skill in the art could perform, and if the prior art shows such elements, it is inherent that some determination was made to provide the necessary limitation.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIRK BASS whose telephone number is (571) 270-7370. The examiner can normally be reached on Mon - Fri (9am-4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vickie Kim can be reached on (571) 272-0579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Krishnan S Menon/
Primary Examiner, Art Unit 1797

/DRB/
Dirk R. Bass